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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,141	08/23/2001	Douglas A. Cheline	PD-201118	6304

7590 08/08/2005

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EXAMINER
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HERNANDEZ, OLGA

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,141

Applicant(s)

CHELINE ET AL.

Examiner

Olga Hernandez

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/2/05--Interview.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-20 and 23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9, 11-20 and 23 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 23 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Genty et al (2002/0178361) in view of Reid et al (6,298,308).

As per claims 1, 11, 13 and 22, Genty discloses:

- receiving a request to establish a VPN session with a server-side system from at least one client computer out of a plurality of client computers coupled to a modem within a client-side system, where said request contains login details for a user of said at least one client computer (figures 1 and 2, paragraphs [0003] and [0216]);
- determining a network address of said at least one client computer (abstract);
- authenticating said user based on said user login details (paragraphs [00031, (0011), and [0012]); and

- establishing a VPN tunnel between said at least one client computer having said network address and said server-side system, where said VPN tunnel is established over said modem (abstract, figures 1 and 2, paragraphs [0015]-[0018]);
- receiving a new request to establish a new VPN session with a different server-side system from a different client computer out of said plurality of client computers coupled to said modem within said client-side system, where said request contains new login details for a new user of said different client computer (paragraphs [0009], [0040]);
- determining a new network address of said different client computer (paragraph [0012]); authenticating said new user based on said new user login details (paragraph [0009]); and
- establishing a new VPN tunnel between said different client computer having said new network address and said new server-side system, where said VPN tunnel is established over said modem (paragraph [0047]).

Genty does not teach only one modem being shared within the client side.

However, Reid teaches it in column 8, lines 16-17. Thus, it would have been obvious to one skilled in the art to combine Genty's invention with Reid's shared modem in order to indicate a machine failure or impending failure, a need for maintenance.

As per claim 2, Genty teaches obtaining security details from a client (paragraph [0010]).

As per claims 3 and 14, Genty teaches a collection log to extract the network address of at least on computer (paragraph (00102)).

As per claims 4 and 15, Genty teaches storing the network address (abstract).

As per claims 5 and 16, Genty teaches the authentication process (paragraphs [00032, (0011] and (0012])).

As per claims 8 and 19, Genty teaches ascertaining an Internet protocol address of the client (abstract).

As per claims 9 and 20, Genty teaches the use of different Protocol (paragraph [0019])).

As per claims 12 and 23, Genty teaches restricting the VPN tunnel aRer certain time (paragraphs [0141], [0142])).

As per claims 6 and 17, Genty teaches the use of a server (figures 1 and 2). Genty does not teach a Radius server. However, it would have been obvious to one skill in the art to substitute a server for another server in order to enhance the quality of the transmission and reduce the costs. Genty's server and the Radius server are considered functionally equivalent. In re Brown, 459 F. 2d 531, 535, 173 USPQ 685 (CCPA 1972) and In re Bond, 910 F. 2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Genty et al (2002/0178361) in view of Reid et al (6,298,308), further in view of Vandergeest et al (2002/0169988).

Genty teaches transmitting the authentication information to the server (paragraph [0003], [0011] and [0012])). Genty does not teach the retransmission of the

information. However, Vandergeest teaches it in paragraph [0039]. Therefore, it would have been obvious to one skill in the art to combine the aforementioned inventions in order to allow the user to digitally sign information, or decrypt information using private keys.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is 571-272-7144. The examiner can normally be reached on Mon-Thu 8:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'OH' with a large loop at the end.

Olga Hernandez  
Examiner  
Art Unit 2144